

House Bill 1068 (AS PASSED HOUSE AND SENATE)

By: Representatives Ehrhart of the 36th, Tumlin of the 38th, Parsons of the 42nd, Manning of the 32nd, Golick of the 34th, and others

A BILL TO BE ENTITLED

AN ACT

To amend an Act providing for the election of members of the Board of Education of Cobb County, approved March 28, 1974 (Ga. L. 1974, p. 3516), as amended, so as to provide for procedures relating to the establishment or revision of school attendance zones; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for the election of members of the Board of Education of Cobb County, approved March 28, 1974 (Ga. L. 1974, p. 3516), as amended, is amended by adding a new subsection (f) to the end of Section 2 to read as follows:

"(f)(1) Prior to establishing or revising school attendance zones, the board shall:

(A) Conduct at least one public hearing prior to developing any proposed plan establishing or revising attendance zones to get public input regarding the development of such plan or plans and the location of attendance zones;

(B) Develop two or more alternate proposed plans establishing or revising attendance zones. Such alternate plans must be made available to the public at least 24 hours prior to the public hearing at which they will be discussed; and

(C) Conduct at least two public hearings to allow input from the public on the proposed plans establishing or revising attendance zones. Reasonable notice shall be provided prior to each public hearing.

(2) The board shall take into consideration the following when establishing or revising school attendance zones:

(A) The board shall be required, to the greatest extent possible, to:

(1) Maintain efficient and effective school sizes;

(2) Use existing school facilities efficiently;

(3) Equalize student enrollment and capacity ratios;

- 1 (4) Consider safety of students traveling to and from schools;
2 (5) Minimize the time and distance between home and school; and
3 (6) Support efficient and direct feeder patterns, when possible.

4 These factors shall be given priority over any other criteria;

5 (B)(1) No student shall be assigned or compelled to attend any school on the basis
6 of race, creed, color, or national origin, or for the purpose of achieving equality in
7 attendance or increased or reduced attendance at any school of persons of one or more
8 particular race, creed, color, or national origin as may be evidenced by ethnic diversity
9 charts or maps indicating race of students, unless otherwise ordered by a federal court
10 or allowed by federal law based on a compelling interest.

11 (2) No attendance zone shall be established or revised on the basis of race, creed,
12 color, or national origin, or for the purpose of achieving equality in attendance or
13 increased or reduced attendance at any school of persons of one or more particular
14 race, creed, color, or national origin as may be evidenced by ethnic diversity charts
15 or maps indicating race of students, unless otherwise ordered by a federal court or
16 allowed by federal law based on a compelling interest; and

17 (C) Nothing contained in this paragraph shall prevent the assignment of a pupil in the
18 manner requested or authorized by the student's parent or guardian."

19 **SECTION 2.**

20 This Act shall become effective upon its approval by the Governor or upon its becoming law
21 without such approval.

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.